

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

RAPID TEMPS, INC.,

Plaintiff,

v.

PRIME CARE NEVADA INC., DOES I  
through X and ROE CORPORATIONS I  
through X, inclusive,


Defendants.

Case No. 2:13-cv-01237-MMD-GWF

ORDER

Plaintiff Rapid Temps, Inc. filed a Motion for Default Judgment (dkt. no. 9), but the actual document appears to be a proposed order for default judgment. Plaintiff's apparent request for default judgment contains several deficiencies. Plaintiff does not file a memorandum of points and authorities in support of its motion, as required by Local Rule 7-2(d). See Local Rule 7-2(d) (failure to file points and authorities in support of a motion constitutes consent to its denial). Plaintiff does not address the relevant legal standard governing the award of default judgment, see *Eitel v. McCool*, 782 F.2d 1470, 1471-72 (9th Cir. 1986), and does not apply the facts of this case to that standard. A proposed order is not a proper request for default judgment. It is therefore ordered that Plaintiff's Motion for Default Judgment (dkt. no. 9) is denied without prejudice and with leave to re-file to comply with Local Rule 7-2(d) and *Eitel*.

DATED THIS 22<sup>nd</sup> day of January 2014.

  
MIRANDA M. DU  
UNITED STATES DISTRICT JUDGE